

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Angela Parker Chavis, Individually and as) C/A No: 0:16-cv-00240-DCN-PJG
Personal Representative the Estate of)
James Parker,)
Plaintiff,) ORDER OF TRANSFER
vs.)
Willie Bamberg, Lt. Kim Fisk, Sgt.)
Christopher James, Ofc. Latoya Echols,)
and Ofc Harrie Mintz)
Defendants.)

The Court has been informed that the above-captioned Federal Civil Action brought under 42 U.S.C. § 1983 has been settled by agreement between the parties. The Court is further informed that the Plaintiff has also reached a settlement agreement with the Defendants regarding causes of action filed in a civil claim pending in the South Carolina Court of Common Pleas, case number 2015-CP-38-00302. Both of these matters require Court approval pursuant to South Carolina Code Annotated § 15-51-42.

The Court is further informed that the Plaintiff intends to seek joint approval of these settlements in State Court. Accordingly, the parties request that this Court transfer jurisdiction of the settlement of this action to State Court for consideration and approval pursuant to South Carolina Code Annotated § 15-51-42(D), which provides that “[f]or any actions pending in the federal courts, ...the federal court, at its discretion, may issue an order transferring the case to state court for consideration of the proposed settlement.”

In light of the fact that the Plaintiff intends to seek joint approval in State Court of the settlement in the case pending before this Court and the settlement in the case pending in State Court, the above-captioned matter is hereby transferred to the Circuit Court of Orangeburg County for consideration of the proposed survival and wrongful death settlements.

IT IS SO ORDERED.



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

May 22, 2017
Columbia, South Carolina

WE CONSENT

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